

APPEAL NO. 030609  
FILED APRIL 28, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on February 4, 2003. With respect to the single issue before her, the hearing officer determined that the respondent's (claimant) compensable injury of \_\_\_\_\_, extends to include right carpal tunnel syndrome (CTS) and de Quervain's stenosing tenosynovitis. In its appeal, the appellant (carrier) challenges that determination as being against the great weight of the evidence. The appeal file does not contain a response to the carrier's appeal from the claimant.

DECISION

Affirmed as modified.

Initially we note, as did the carrier, that Conclusion of Law No. 3 and the Decision incorrectly refer to a compensable injury of (wrong date of injury). The parties stipulated that the claimant's compensable injury occurred on \_\_\_\_\_; thus, it is apparent that Conclusion of Law No. 3 and the Decision contain a typographical error. Accordingly, the references to a (wrong date of injury) are modified to properly reflect the \_\_\_\_\_, date of injury.

The hearing officer did not err in determining that the claimant's compensable injury of \_\_\_\_\_, includes right CTS and de Quervain's stenosing tenosynovitis. That issue presented a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was persuaded that the claimant sustained her burden of proving that she sustained right CTS and de Quervain's stenosing tenosynovitis as a result of her injury at work. There was conflicting evidence on the issue of whether the claimed conditions resulted from the work-related injury and the hearing officer was acting within her province as the fact finder in resolving that conflict in favor of the claimant. The factors emphasized by the carrier in challenging the hearing officer's extent-of-injury determination on appeal are the same factors it emphasized at the hearing. The significance, if any, of those factors was a matter for the hearing officer. Nothing in our review of the record reveals that the challenged determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse that determination on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**ROBERT PARNELL  
8144 WALNUT HILL LANE, SUITE 1600  
DALLAS, TEXAS 75231-4813.**

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Roy L. Warren  
Appeals Judge